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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHINGLES, KRISTIE D

ART UNIT PAPER NUMBER

2141

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,406

Applicant(s)

KURGANOV, ALEXANDER

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/19/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-34 and 50-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-34 and 50-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Per Applicant's Request for Continued Examination:

Claims 32-34 have been amended. Claims 1-31 and 35-49 have been cancelled.

Claims 50-67 are new.

Claims 32-34 and 50-67 are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/19/2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112, second paragraph

3. **Regarding claims 14 and 15**, the 35 U.S.C. 112, second paragraph rejection of these claims is withdrawn in light of the their cancellation.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 32-34 and 50-67** are rejected under 35 U.S.C. 102(e) as being anticipated by *Summers et al* (US Publication 2001/0032234).

a. **Per claim 32**, *Summers et al* teach a method for allowing users to use speech commands to obtain information from a pre-defined portion of a pre-selected web site in audio format, said method comprising the steps of:

- providing a computer having a speech processor, said computer being operatively connected to the internet and to at least one phone (Figure 3, page 4 paragraph 0038);
- providing a URL to said computer, said URL indicating a pre-selected web site from which the information is to be retrieved (page 2 paragraph 0018, page 4 paragraphs 0044 and 0045, page 5 paragraphs 0048 and 0049, page 6 paragraph 0062);
- using said computer to designate a pre-defined portion of the pre-selected web site which contains the information to be retrieved (page 3 paragraphs 0019 and 0020, page 5 paragraph 0052, page 6 paragraphs 0067-0071; provision for user to map selected portions of requested webpage);

- allowing said computer to create a descriptor containing instructions which identify the web site URL and the pre-defined portion of said pre-selected web site which contains said information to be retrieved (page 3 paragraphs 0019 and 0020, page 4 paragraph 0038, page 5 paragraphs 0048 and 0049, page 6 paragraphs 0062-0068; provisions for user to create user-defined map and bookmarks to identify the webpage and the pre-defined portions of the webpage);
- providing a speech command to said speech processor, said speech command corresponding to said descriptor (page 3 paragraphs 0020 and 0037, page 5 paragraphs 0052, 0055, 0056 and 0059, page 6 paragraph 0068, page 7 paragraphs 0074-0076 and 0078; user inputs voice commands to provide a descriptor to associate with a voicelink);
- said speech processor converting said speech command to a digital-form command (page 3 paragraph 0020, page 5 paragraphs 0055, 0056 and 0059, page 7 paragraphs 0074-0078; provision for speech recognition voice commands and voice browser);
- said computer receiving said digital-form command from said speech processor, said computer assigning said descriptor to said digital-form command (page 3 paragraph 0019 and 0036, page 7 paragraph 0076, page 8 paragraphs 0083-0085).

b. **Claims 53 and 63** contain limitations that are substantially equivalent claims 1 and 2 and therefore are rejected under the same basis.

c. **Per claim 33**, *Summers et al* teach the method of claim 32 further comprising the steps of: transmitting said speech command over a phone to said speech processor (Figure 3, page 1 paragraph 0003, page 3 paragraph 0020); said speech processor converting said speech command to said digital-form command (page 3 paragraph 0020, page 5 paragraphs 0055, 0056 and 0059, page 7 paragraphs 0074-0078); said computer receiving said digital-form command from said speech processor (page 3 paragraph 0019 and 0036, page 7 paragraph 0076, page 8 paragraphs 0083-0085); said computer retrieving said descriptor corresponding to said digital-form command (page 3 paragraphs 0019, 0020 and 0037, page 5 paragraphs 0052, 0055, 0056

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and 0059, page 6 paragraph 0068, page 7 paragraphs 0074-0076 and 0078); said computer retrieving the information from the pre-defined portion of the pre-selected web site corresponding to said descriptor (page 6 paragraphs 0063-0070, page 7 paragraphs 0074-0078, page 8 paragraph 0083); said computer providing said retrieved information to said speech processor (page 3 paragraphs 0019 and 0020, page 4 paragraph 0038, page 5 paragraphs 0048 and 0049, page 6 paragraphs 0062-0068); said speech processor converting said retrieved information into an audio message (page 3 paragraph 0020, page 5 paragraphs 0055, 0056 and 0059, page 7 paragraphs 0074-0078); and said speech processor forwarding said audio message over said phone to a user (page 3 paragraph 0020, page 3 paragraphs 0027, 0031 and 0036, page 4 paragraph 0038, page 7 paragraph 0078).

d. **Per claim 34**, *Summers et al* teach the method of claim 33 wherein the pre-defined portion of the pre-selected web site being retrieved is periodically updated (page 3 paragraph 0020, page 7 paragraph 0079, page 8 paragraph 0082).

e. **Per claim 50**, *Summers et al* teach the method of claim 32 wherein the step of providing a URL to a computer is performed by a user (page 5 paragraph 0049, page 6 paragraph 0062).

f. **Per claim 51**, *Summers et al* teach the method of claim 32 wherein the step of using said computer to designate a pre-defined portion of the web site which contains the information to be retrieved comprises the steps of displaying the web site on a graphical display operatively connected to the computer (page 3 paragraphs 0036 and 0037); and using computer software to select the pre-defined portion of the pre-selected web site which contains the

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information to be retrieved (page 3 paragraph 0037, page 5 paragraph 0058, page 6 paragraph 0066).

g. **Claims 62 and 65** are substantially equivalent to claim 51 and are therefore rejected under the same basis.

h. **Per claim 52**, *Summers et al* teach the method of claim 51 wherein the step of using the computer to designate a pre-defined portion of the web site which contains the information to be retrieved is performed by a user (page 5 paragraph 0050, page 6 paragraphs 0064-0067, page 7 paragraph 0071).

i. **Claims 61, 64 and 64** are substantially equivalent to claim 52 and are therefore rejected under the same basis.

j. **Per claim 54**, *Summers et al* teach the system of claim 53 wherein the phone is a landline telephone (page 5 paragraph 0053).

k. **Per claim 55**, *Summers et al* teach the system of claim 53 wherein the phone is a wireless telephone (page 5 paragraph 0053).

l. **Per claim 56**, *Summers et al* teach the system of claim 53 wherein the phone is an internet protocol telephone (page 5 paragraph 0053).

m. **Per claim 57**, *Summers et al* teach the system of claim 53 wherein the server is operatively connected to a local area network (page 2 paragraph 0018, page 4 paragraphs 0043-0044).

n. **Per claim 58**, *Summers et al* teach the system of claim 53 wherein the server is operatively connected to a wide area network (page 2 paragraph 0018, page 4 paragraphs 0043-0044).

o. **Per claim 59**, *Summers et al* teach the system of claim 53 wherein the server is operatively connected to the Internet (Figure 3, page 4 paragraph 0044).

p. **Per claim 60**, *Summers et al* teach the system of claim 53 further comprising a database operatively connected to the server, the database configured to store said instruction set and said recognition grammars (page 3 paragraph 0027, page 4 paragraph 0045, page 5 paragraph 0050).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Johnson et al (2002/0006126), Saylor et al (6,888,929), Bennett et al (6,665,640), Burg et al (6,456,699), Koch et al (6,687,341), Bailey III (6,353,661), Hickman et al (6,996,609), Thrift et al (6,965,864), Butler et al (6,771,743), Loghmani et al (6,941,273), Kredo et al (6,823,370).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds



KRISTIE SHINGLES
PATENT EXAMINER